

REMARKS

Claims 1-18 are pending in this application. For purposes of expedition and completeness, claims 1, 2, 10, 14 and 18 have been amended in several particulars for purposes of clarity and brevity that are unrelated to patentability and prior art rejections, to clearly define Applicants' disclosed invention and to place all claims in condition for allowance.

Claims 1-18 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 6-11 of Tanaka et al., U.S. Patent No. 6,613,593, in view of Jun et al., U.S. Patent No. 6,366,688 for reasons stated on pages 2-5 of the Office Action (Paper No. 8). However, Applicants note that Tanaka et al., U.S. Patent No. 6,613,593 is Applicants' concurrent work product (with a later U.S. filing date but the same foreign priority date), which does not qualify as prior art against Applicants' claims 1-18 and, thus, cannot be used to support the judicially created doctrine of obviousness-type double patenting rejection. Nevertheless, for purposes of expedition, a terminal disclaimer is enclosed to overcome the rejection and to place all claims in condition for allowance.

In view of the foregoing amendments, arguments and remarks, all claims 1-18 are deemed to be allowable and this application is believed to be in condition to be passed to issue. Should any questions remain unresolved, the Examiner is requested to telephone Applicants' attorney at the Washington DC area office at (703) 312-6600.

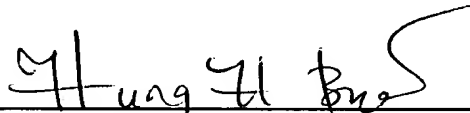
*Appl. No. 09/942,213
Amendment dated November 18, 2004
Reply to Office Action of August 23, 2004

To the extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage of fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account of Antonelli, Terry, Stout & Kraus, No. 01-2135 (Application No. 501.40475X00), and please credit any excess fees to said deposit account.

Respectfully submitted,

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